

SECOND REGULAR SESSION

# SENATE BILL NO. 843

99TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR RIDDLE.

Pre-filed January 2, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5541S.011

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## AN ACT

To repeal sections 143.1015, 186.007, 191.980, 194.400, 194.408, 194.409, 196.1103, 196.1106, 196.1112, 196.1118, 196.1121, 196.1124, 196.1127, 196.1129, 208.197, 208.955, 210.170, 217.900, 217.903, 217.905, 217.907, 217.910, 253.408, 253.412, 288.475, 324.406, 324.409, 324.412, 324.415, 324.421, 324.424, 324.427, 324.430, 324.436, 348.265, 453.600, 620.1200, and 633.200, RSMo, sections 196.1109 and 196.1115 as enacted by senate bill no. 7, ninety-sixth general assembly, first extraordinary session, and sections 196.1109 and 196.1115 as enacted by house bill no. 688, ninety-second general assembly, first regular session, and to enact in lieu thereof thirty new sections relating to the existence of certain state administrative boards and commissions.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 143.1015, 186.007, 191.980, 194.400, 194.408, 194.409, 2 196.1103, 196.1106, 196.1112, 196.1118, 196.1121, 196.1124, 196.1127, 196.1129, 3 208.197, 208.955, 210.170, 217.900, 217.903, 217.905, 217.907, 217.910, 253.408, 4 253.412, 288.475, 324.406, 324.409, 324.412, 324.415, 324.421, 324.424, 324.427, 5 324.430, 324.436, 348.265, 453.600, 620.1200, and 633.200, RSMo, sections 6 196.1109 and 196.1115 as enacted by senate bill no. 7, ninety-sixth general 7 assembly, first extraordinary session, and sections 196.1109 and 196.1115 as 8 enacted by house bill no. 688, ninety-second general assembly, first regular 9 session, are repealed and thirty new sections enacted in lieu thereof, to be known 10 as sections 29.415, 143.1015, 186.007, 191.980, 194.400, 194.408, 196.1103, 11 196.1106, 196.1109, 196.1112, 196.1115, 196.1118, 196.1121, 196.1127, 196.1129, 12 208.955, 210.170, 253.408, 324.406, 324.409, 324.412, 324.415, 324.421, 324.424, 13 324.427, 324.430, 324.436, 453.600, 620.1200, and 633.200, to read as follows:

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

**29.415. The auditor shall conduct a study of the solvency, adequacy, staffing, and operational efficiency of the Missouri unemployment system created under chapter 288. The study shall be conducted every five years, the first being conducted in fiscal year 2019. The study shall be funded subject to appropriation from the special employment security fund under section 288.310.**

143.1015. 1. In each taxable year beginning on or after January 1, 2011, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that one dollar or any amount in excess of one dollar on a single return, and two dollars or any amount in excess of two dollars on a combined return, of the refund due be credited to the foster care and adoptive parents recruitment and retention fund as established under section 453.600, hereinafter referred to as the fund. If any individual or corporation that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the fund, such individual or corporation may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, that amount, clearly designated for the foster care and adoptive parents recruitment and retention fund, the individual or corporation wishes to contribute. The department of revenue shall deposit such amount to the fund as provided in subsections 2 and 3 of this section. All moneys credited to the fund shall be considered nonstate funds under the provisions of Article IV, Section 15 of the Missouri Constitution.

2. The director of revenue shall deposit at least monthly all contributions designated by individuals under this section to the state treasurer for deposit to the fund.

3. The director of revenue shall deposit at least monthly all contributions designated by corporations under this section, less an amount sufficient to cover the costs of collection and handling by the department of revenue, to the state treasury for deposit to the fund.

4. A contribution designated under this section shall only be deposited in the fund after all other claims against the refund from which such contribution is to be made have been satisfied.

5. Moneys deposited in the fund shall be distributed by the department of social services in accordance with the provisions of this section and section 453.600.

31 [6. Under section 23.253 of the Missouri sunset act:

32 (1) The provisions of the new program authorized under this section shall  
33 automatically sunset six years after August 28, 2011, unless reauthorized by an  
34 act of the general assembly; and

35 (2) If such program is reauthorized, the program authorized under this  
36 section shall automatically sunset twelve years after the effective date of the  
37 reauthorization of this section; and

38 (3) This section shall terminate on December thirty-first of the calendar  
39 year immediately following the calendar year in which the program authorized  
40 under this section is sunset.]

186.007. There is created in the department of economic development a  
2 "Missouri Women's Council" which shall consist of [~~fifteen~~] **thirteen**  
3 members. [~~Eleven~~] **Nine** of the members shall be appointed by the governor, of  
4 which no more than [~~six~~] **five** of the [~~eleven~~] **nine** members may be of the same  
5 political party as the governor appointing such members, with the advice and  
6 consent of the senate, and shall be representative of a cross section of the  
7 citizenry. [~~Four members shall be appointed for one year, four for two years, and~~  
8 ~~three for three years. Their successors~~] **Council members** shall serve terms of  
9 [~~three~~] **four** years, **and may be reappointed**. The remaining four vacancies  
10 on the council shall be filled by the general assembly. Two representatives and  
11 two senators shall be appointed by their respective bodies in the same manner as  
12 members of standing committees are appointed. [~~The governor shall designate~~  
13 ~~one of the members as chairman.~~] **The council shall annually elect a chair**  
14 **and vice-chair**. In the event of a vacancy in a term of office through death,  
15 resignation or otherwise, the governor shall appoint a person to serve the  
16 unexpired portion of the term of a member appointed by the governor. The  
17 unexpired council terms of any senator or representative unable or unwilling to  
18 serve shall be filled by their respective bodies in the same manner as vacancies  
19 on standing committees are filled.

191.980. 1. The "Missouri Area Health Education Centers" program is  
2 hereby established as a collaborative partnership of higher educational  
3 institutions and regional area health education centers and other entities that  
4 have entered into a written agreement with the program. These higher  
5 educational institutions and regional area health education centers shall be those  
6 that are recognized as program offices or regional centers by the federal area  
7 health education centers program pursuant to 42 U.S.C. Section 294a. The

8 program is designed to improve the supply, distribution, availability, and quality  
9 of health care personnel in Missouri communities and promote access to primary  
10 care for medically underserved communities and populations.

11 2. [The Missouri area health education centers council is hereby  
12 established within the department of health and senior services. The council  
13 shall consist of twelve members that are residents of Missouri. The members of  
14 the council shall include:

15 (1) The director of the department of health and senior services or the  
16 director's designee;

17 (2) The commissioner of the department of higher education or the  
18 commissioner's designee;

19 (3) Two members of the senate appointed by the president pro tempore of  
20 the senate;

21 (4) Two members of the house of representatives appointed by the speaker  
22 of the house of representatives; and

23 (5) Six members to be appointed by the governor with the advice and  
24 consent of the senate, four of whom shall represent the federally recognized  
25 regional area health education centers and two of whom shall represent the  
26 federally recognized higher educational institution program offices. Each  
27 representative of the regional area health education centers shall be a member  
28 of the governing or advisory board of a regional center and shall be nominated  
29 jointly by the chairs of the governing or advisory boards of all such centers. No  
30 two representatives shall be members of the same regional center governing or  
31 advisory board. Each representative of the federally recognized higher  
32 educational institution program offices shall be an employee or faculty of a  
33 medical school in which a program office resides and shall be nominated jointly  
34 by the deans of all such medical schools. The two program office representatives  
35 shall not be employees or faculty of the same medical school.

36 Members of the council shall be appointed by February 1, 2005. Of the members  
37 first appointed to the council, six shall serve a term of four years and six shall  
38 serve a term of two years, and thereafter, members shall serve a term of four  
39 years. Members shall continue to serve until their successor is duly appointed  
40 and qualified. Any vacancy on the council shall be filled in the same manner as  
41 the original appointment.

42 3.] The [council] **director of the department of health and senior**  
43 **services** shall have discretionary authority to monitor and recommend policy

44 direction for the Missouri area health education centers program, including  
45 policies to ensure that all applicable requirements of the federal area health  
46 education centers program are met.

47 [4.] 3. The area health education centers program shall:

48 (1) Develop and enhance health careers recruitment programs for  
49 Missouri students, especially underrepresented and disadvantaged students;

50 (2) Enhance and support community-based training of health professions  
51 students and medical residents;

52 (3) Provide educational and other programs designed to support practicing  
53 health professionals; and

54 (4) Collaborate with health, education, and human services organizations  
55 to design, facilitate, and promote programs to improve access to health care and  
56 health status in Missouri.

57 [5. The Missouri area health education centers council shall report  
58 annually to the governor and the general assembly on the status and progress of  
59 the Missouri area health education centers program.]

194.400. As used in sections 194.400 to 194.410 the following words and  
2 phrases mean:

3 (1) ["Committee", the unmarked human burial consultation committee]  
4 **"Council", the Missouri advisory council on historic preservation**  
5 **created under section 253.408;**

6 (2) "Cultural items", shall include:

7 (a) "Associated funerary objects", objects that are reasonably believed to  
8 have been placed with individual human remains either at the time of death, or  
9 during the death rite or ceremony, or later, and all other items exclusively made  
10 for burial purposes including items made to contain human remains;

11 (b) "Unassociated funerary objects", objects that are reasonably believed  
12 to have been placed with individual human remains either at the time of death  
13 or during the death rite or ceremony, or later, which can be identified by a  
14 preponderance of the evidence as related to known human remains or an  
15 unmarked human burial site or can be identified as having been removed from  
16 a specific unmarked human burial site;

17 (3) "General archaeological investigation", refers to:

18 (a) Excavations performed by professional archaeologists usually  
19 consisting of a structured scientific undertaking comprised of three segments  
20 including field investigations, laboratory analysis, and preparation and

21 submission of a report of investigation; and

22 (b) Identification of the presence of human remains in excavated materials  
23 considered to occur at the completion of the laboratory analysis segment of the  
24 studies as above;

25 (4) "Professional archaeologist", a person who has a graduate degree in  
26 archaeology, anthropology, or closely related field, at least one year of full-time  
27 professional experience or equivalent specialized training in archaeological  
28 research, administration of management, or at least four months of supervised  
29 field and analytic experience in general North American archaeology and  
30 demonstrated ability to carry archaeological research to completion, as evidenced  
31 by a master of arts or master of science thesis, or report equivalent in scope and  
32 quality;

33 (5) "Second or subsequent violation", any violation, other than the first  
34 violation, of a criminal law related to the trafficking of human remains or cultural  
35 items located in the state of Missouri, the United States, or any other state;

36 (6) "Skeletal analyst", a person possessing a postgraduate degree  
37 representing specialized training in skeletal biology, forensic osteology, or other  
38 relevant aspects of physical anthropology. The skeletal analyst shall have a  
39 minimum experience of one year in conducting laboratory reconstruction and  
40 analysis, and shall have demonstrated the ability to design and execute a skeletal  
41 analysis, and to present the written results and interpretations of such analysis  
42 in a thorough, scientific, and timely manner;

43 (7) "Specific scientific investigations", refers to detailed studies of human  
44 remains by professional archaeologists, anthropologists, osteologists, or  
45 professionals in related disciplines;

46 (8) "State historic preservation officer", the director of the department of  
47 natural resources;

48 (9) "Unmarked human burial", any instance where human skeletal  
49 remains are discovered or believed to exist, but for which there exists no written  
50 historical documentation or grave markers.

194.408. 1. Whenever an unmarked human burial or human skeletal  
2 remains are reported to the state historic preservation officer, the state historic  
3 preservation officer shall proceed as follows:

4 (1) Insofar as possible, the state historic preservation officer shall make  
5 reasonable efforts to identify and locate persons who can establish direct kinship  
6 with or descent from the individual whose remains constitute the burial. The

7 state historic preservation officer, in consultation with the most closely related  
8 family member, shall determine the proper disposition of the remains;

9 (2) When no direct kin or descendants can be identified or located, but the  
10 burial or remains can be shown to have ethnic affinity with living peoples, the  
11 state historic preservation officer in consultation with the leaders of the ethnic  
12 groups having a relation to the burial or remains shall determine the proper  
13 disposition of the remains. But, if the state historic preservation officer  
14 determines the burial or remains are scientifically significant, no reinterment  
15 shall occur until the burial or remains have been examined by a skeletal analyst  
16 designated by the state historic preservation officer. In no event shall  
17 reinterment be delayed more than one year;

18 (3) When the burial or remains cannot be related to any living peoples,  
19 the state historic preservation officer, in consultation with the [unmarked human  
20 burial consultation committee] **Missouri advisory council on historic**  
21 **preservation**, shall determine the proper disposition of the burial or  
22 remains. But, if the state historic preservation officer determines the burial or  
23 remains are scientifically significant, no reinterment shall occur until the burial  
24 or remains have been examined by a skeletal analyst designated by the state  
25 historic preservation officer. In no event shall reinterment be delayed more than  
26 one year unless otherwise and to the extent determined by the [committee]  
27 **council**;

28 (4) Notwithstanding subdivisions (2) and (3) of this section the state  
29 historical preservation officer may seek approval from the [unmarked human  
30 burial consultation committee] **council** to delay reinterment of the remains for  
31 an additional scientific study in a facility chosen by the state historic  
32 preservation officer. If the study is approved by the [committee] **council**  
33 reinterment shall be delayed for a period as specified by the [committee] **council**.

34 **2. All actions and decisions of the state historic preservation**  
35 **officer and the council shall be in conformity with the provisions of the**  
36 **federal National Historic Preservation Act of 1966, as amended.**

196.1103. The **director of the department of economic development**  
2 **shall be responsible for the** management, governance, and control of moneys  
3 appropriated from the life sciences research trust fund [shall be vested in the  
4 "Life Sciences Research Board" which is hereby created in the department of  
5 economic development as a type III agency and which shall consist of seven  
6 members. The following provisions shall apply to the life sciences research board

7 and its members:

8 (1) Each member shall be appointed by the governor with the advice and  
9 consent of the senate pursuant to the procedures herein set forth for a term of  
10 four years; except that, of the initial members of the board appointed, three shall  
11 be appointed for two-year terms and four shall be appointed to four-year terms;

12 (2) The members of the board shall be generally familiar with the life  
13 sciences and current research trends and developments with either technical or  
14 scientific expertise in life sciences and with an understanding of the application  
15 of the results of life sciences research. The appointment of a person to the life  
16 sciences research committee created by Executive Order 01-10 issued by the  
17 governor on July 23, 2001, shall not disqualify a person from serving as a  
18 member, either contemporaneously or later, on the life sciences research board;

19 (3) No member of the life sciences research board shall serve more than  
20 two consecutive full four-year terms;

21 (4) The members of the life sciences research board shall receive no salary  
22 or other compensation for their services as a member of the board, but shall  
23 receive reimbursement for their actual and necessary expenses incurred in  
24 performance of their duties as members of the board].

196.1106. Centers for life sciences research shall be established and shall  
2 be subject to the following provisions:

3 (1) A "center for excellence for life sciences research" means a system or  
4 regional consortium of public and private not-for-profit academic, research, or  
5 health care institutions or organizations engaged in competitive research in  
6 targeted fields consistent with the strategic purposes of life sciences research as  
7 provided in sections 196.1100 to 196.1130;

8 (2) The [life sciences research board] **director of the department of**  
9 **economic development** shall monitor and **the department** adopt such rules  
10 as are necessary to assure quality and accountability in the operation of the  
11 centers for excellence for life sciences research;

12 (3) One St. Louis area center for excellence may be established within the  
13 geographical area encompassing the city of St. Louis and St. Louis, St. Charles,  
14 Jefferson, and Franklin counties. If any part of a municipality is located within  
15 any one such county and also encompasses a part of another county in this state,  
16 the entire area encompassed within the city limits of such municipality shall be  
17 a part of the geographical area of the St. Louis area center for excellence;

18 (4) One Kansas City area center for excellence may be established within



19 the geographical area encompassing Jackson, Clay, Andrew, Buchanan, and  
20 Platte counties. If any part of a municipality is located within any one such  
21 county and also encompasses a part of another county in this state, the entire  
22 area encompassed within the city limits of such municipality shall be a part of  
23 the geographical area of the Kansas City area center for excellence;

24 (5) One Springfield center for excellence may be established within the  
25 geographical area encompassing Greene, Christian, and Webster counties;

26 (6) A Missouri statewide center for excellence may be established that  
27 shall encompass the institutions, agricultural research centers dedicated to the  
28 development of plant-made pharmaceuticals, and campuses within the University  
29 of Missouri system and those regions of Missouri not encompassed within another  
30 center for excellence; provided that the University of Missouri-Kansas City and  
31 the University of Missouri-St. Louis shall participate in the centers for excellence  
32 in their respective geographical regions;

33 (7) The [life sciences research board] **director of the department of**  
34 **economic development** shall receive and review suggestions for the formation  
35 and composition of the initial centers for excellence. After receiving and  
36 reviewing such suggestions, the [life sciences research board] **director** shall  
37 determine the initial composition, and shall consider and approve the  
38 organizational plan and structure of the St. Louis area, Kansas City area,  
39 Springfield area, and Missouri statewide centers for excellence;

40 (8) Before any center for excellence is considered to be a center for  
41 excellence for life sciences research under sections 196.1100 to 196.1130, its  
42 composition and organizational structure shall be approved by the [life sciences  
43 research board] **director**;

44 (9) Any center for excellence for life sciences research that is established  
45 within a geographical area specified in sections 196.1100 to 196.1130 shall be  
46 comprised of a consortium of public and private not-for-profit academic, research,  
47 or health care institutions or organizations that have collectively at least fifteen  
48 million dollars in annual research expenditures in the life sciences, including a  
49 collective minimum of two million dollars in basic research in life sciences;

50 (10) Each center for excellence for life sciences research shall appoint a  
51 screening committee. The centers, through their screening committees, shall  
52 solicit, collect, prioritize, and forward to the [life sciences research board]  
53 **director** proposed research initiatives for consideration for funding by the  
54 [board] **director**. Members of each screening committee shall generally be

55 familiar with the life sciences and current trends and developments with either  
56 technical or scientific expertise in the life sciences with an understanding of life  
57 sciences and with an understanding of the application of the results of life  
58 sciences research. No member of a screening committee shall be employed by any  
59 public or private entity eligible to receive financial support from the life sciences  
60 research trust fund; and

61 (11) The centers for excellence for life sciences research shall have any  
62 and all powers attendant to carrying out the operations that are not contrary to  
63 the provisions of sections 196.1100 to 196.1130 or any rules, guidelines, or  
64 decisions adopted by the [life sciences research board] **department**.

[196.1109. All moneys that are appropriated by the general  
2 assembly from the life sciences research trust fund shall be  
3 appropriated to the life sciences research board to increase the  
4 capacity for quality of life sciences research at public and private  
5 not-for-profit institutions in the state of Missouri and to thereby:

6 (1) Improve the quantity and quality of life sciences  
7 research at public and private not-for-profit institutions, including  
8 but not limited to basic research (including the discovery of new  
9 knowledge), translational research (including translating  
10 knowledge into a usable form), and clinical research (including the  
11 literal application of a therapy or intervention to determine its  
12 efficacy), including but not limited to health research in human  
13 development and aging, cancer, endocrine, cardiovascular,  
14 neurological, pulmonary, and infectious disease, and plant sciences,  
15 including but not limited to nutrition and food safety; and

16 (2) Enhance technology transfer and technology  
17 commercialization derived from research at public and private  
18 not-for-profit institutions within the centers for excellence. For  
19 purposes of sections 196.1100 to 196.1130, "technology transfer and  
20 technology commercialization" includes stages of the regular  
21 business cycle occurring after research and development of a life  
22 science technology, including but not limited to reduction to  
23 practice, proof of concept, and achieving federal Food and Drug  
24 Administration, United States Department of Agriculture, or other  
25 regulatory requirements in addition to the definition in section  
26 348.251.

27 Funds received by the board may be used for purposes authorized  
28 in sections 196.1100 to 196.1130 and shall be subject to the  
29 restrictions of sections 196.1100 to 196.1130, including but not  
30 limited to the costs of personnel, supplies, equipment, and  
31 renovation or construction of physical facilities; provided that in  
32 any single fiscal year no more than thirty percent of the moneys  
33 appropriated shall be used for the construction of physical facilities  
34 and further provided that in any fiscal year up to eighty percent of  
35 the moneys shall be appropriated to build research capacity at  
36 public and private not-for-profit institutions and at least twenty  
37 percent and no more than fifty percent of the moneys shall be  
38 appropriated for grants to public or private not-for-profit  
39 institutions to promote life science technology transfer and  
40 technology commercialization. Of the moneys appropriated to build  
41 research capacity, twenty percent of the moneys shall be  
42 appropriated to promote the development of research of  
43 tobacco-related illnesses.]

196.1109. All moneys that are appropriated by the general assembly from  
2 the life sciences research trust fund shall be appropriated to the [life sciences  
3 research board] **department of economic development** to increase the  
4 capacity for quality of life sciences research at public and private not-for-profit  
5 institutions in the state of Missouri and to thereby:

6 (1) Improve the quantity and quality of life sciences research at public  
7 and private not-for-profit institutions, including but not limited to basic research  
8 (including the discovery of new knowledge), translational research (including  
9 translating knowledge into a usable form), and clinical research (including the  
10 literal application of a therapy or intervention to determine its efficacy), including  
11 but not limited to health research in human development and aging, cancer,  
12 endocrine, cardiovascular, neurological, pulmonary, and infectious disease, and  
13 plant sciences, including but not limited to nutrition and food safety; and

14 (2) Enhance technology transfer and technology commercialization derived  
15 from research at public and private not-for-profit institutions within the centers  
16 for excellence. For purposes of sections 196.1100 to 196.1130, "technology  
17 transfer and technology commercialization" includes stages of the regular  
18 business cycle occurring after research and development of a life science  
19 technology, including but not limited to reduction to practice, proof of concept,

20 and achieving federal Food and Drug Administration, United States Department  
21 of Agriculture, or other regulatory requirements in addition to the definition in  
22 section 348.251.

23 Funds received by the [board] **department** may be used for purposes authorized  
24 in sections 196.1100 to 196.1130 and shall be subject to the restrictions of  
25 sections 196.1100 to 196.1130, including but not limited to the costs of personnel,  
26 supplies, equipment, and renovation or construction of physical facilities;  
27 provided that in any single fiscal year no more than ten percent of the moneys  
28 appropriated shall be used for the construction of physical facilities and further  
29 provided that in any fiscal year eighty percent of the moneys shall be  
30 appropriated to build research capacity at public and private not-for-profit  
31 institutions and twenty percent of the moneys shall be appropriated for grants to  
32 public or private not-for-profit institutions to promote life science technology  
33 transfer and technology commercialization. Of the moneys appropriated to build  
34 research capacity, twenty percent of the moneys shall be appropriated to promote  
35 the development of research of tobacco-related illnesses.

196.1112. In determining projects to authorize, the [life sciences research  
2 board] **director of the department of economic development** shall consider  
3 those proposals endorsed by a center for excellence, subject to a process of peer  
4 review conducted under the auspices of the [board] **department under**  
5 **sections 196.1100 to 196.1130**, and shall also consider the potential of any  
6 proposal to bring both health and economic benefits to the people of  
7 Missouri. Specifically, at least eighty percent of the moneys that are  
8 appropriated to the [board] **department under sections 196.1100 to 196.1130**  
9 in each fiscal year shall be distributed to public and private not-for-profit  
10 institutions or organizations whose programs and proposals have been  
11 recommended by a center for excellence that meets the requirements set forth in  
12 subdivisions (8) and (9) of section 196.1106. Collectively, the institutions or  
13 organizations within a single center for excellence shall receive in a single fiscal  
14 year no more than fifty percent of the moneys appropriated to the [board]  
15 **department under sections 196.1100 to 196.1130** during such fiscal year. No  
16 single institution or organization shall receive in any consecutive three-fiscal-year  
17 period more than forty percent of the moneys appropriated to the [board]  
18 **department under sections 196.1100 to 196.1130** during such  
19 three-fiscal-year period.

[196.1115. 1. The moneys appropriated to the life sciences

2 research board that are not distributed by the board in any fiscal  
3 year to a center for excellence or a center for excellence endorsed  
4 program pursuant to section 196.1112, if any, shall be held in  
5 reserve by the board or shall be awarded on the basis of peer  
6 review panel recommendations for capacity building initiatives  
7 proposed by public and private not-for-profit academic, research, or  
8 health care institutions or organizations, or individuals engaged in  
9 competitive research in targeted fields consistent with the  
10 provisions of sections 196.1100 to 196.1130.

11 2. The life sciences research board may, in view of the  
12 limitations expressed in section 196.1130:

13 (1) Award and enter into grants or contracts relating to  
14 increasing Missouri's research capacity at public or private  
15 not-for-profit institutions;

16 (2) Make provision for peer review panels to recommend  
17 and review research projects;

18 (3) Contract for support services;

19 (4) Lease or acquire facilities and equipment;

20 (5) Employ administrative staff; and

21 (6) Receive, retain, hold, invest, disburse or administer any  
22 moneys that it receives from appropriations or from any other  
23 source.

24 3. The Missouri technology corporation, established under  
25 section 348.251, shall serve as the administrative agent for the life  
26 sciences research board.

27 4. The life sciences research board shall utilize as much of  
28 the moneys as reasonably possible for building capacity at public  
29 and private not-for-profit institutions to do research rather than for  
30 administrative expenses. The board shall not in any fiscal year  
31 expend more than two percent of the total moneys appropriated to  
32 it and of the moneys that it has in reserve or has received from  
33 other sources for its own administrative expenses for  
34 appropriations equal to or greater than twenty million dollars;  
35 three percent for appropriations less than twenty million dollars  
36 but equal to or greater than fifteen million dollars; four percent for  
37 appropriations less than fifteen million dollars but equal to or

38 greater than ten million dollars; five percent for appropriations less  
39 than ten million dollars; provided, however, that the general  
40 assembly by appropriation from the life sciences research trust  
41 fund may authorize a limited amount of additional moneys to be  
42 expended for administrative costs.]

196.1115. 1. The moneys appropriated to the [life sciences research  
2 board] **department of economic development under sections 196.1100 to**  
3 **196.1130** that are not distributed by the [board] **department** in any fiscal year  
4 to a center for excellence or a center for excellence endorsed program pursuant  
5 to section 196.1112, if any, shall be held in reserve by the [board] **department**  
6 or shall be awarded on the basis of peer review panel recommendations for  
7 capacity building initiatives proposed by public and private not-for-profit  
8 academic, research, or health care institutions or organizations, or individuals  
9 engaged in competitive research in targeted fields consistent with the provisions  
10 of sections 196.1100 to 196.1130.

11 2. The [life sciences research board] **department of economic**  
12 **development** may, in view of the limitations expressed in section 196.1130:

13 (1) Award and enter into grants or contracts relating to increasing  
14 Missouri's research capacity at public or private not-for-profit institutions;

15 (2) Make provision for peer review panels to recommend and review  
16 research projects;

17 (3) Contract for administrative and support services;

18 (4) Lease or acquire facilities and equipment;

19 (5) Employ administrative staff; and

20 (6) Receive, retain, hold, invest, disburse or administer any moneys that  
21 it receives from appropriations or from any other source.

22 3. The [life sciences research board] **department** shall utilize as much  
23 of the moneys as reasonably possible for building capacity at public and private  
24 not-for-profit institutions to do research rather than for administrative  
25 expenses. The [board] **department** shall not in any fiscal year expend more  
26 than two percent of the total moneys appropriated to it **under sections**  
27 **196.1100 to 196.1130** and of the moneys that it has in reserve or has received  
28 from other sources for its own administrative expenses; provided, however, that  
29 the general assembly by appropriation from the life sciences research trust fund  
30 may authorize a limited amount of additional moneys to be expended for  
31 administrative costs.

196.1118. The [life sciences research board] **department of economic**  
2 **development** shall make provision for and secure the state auditor or outside  
3 public accounting firm an annual audit of [its financial affairs and] the moneys  
4 expended from the life sciences research trust fund. Such audit shall be  
5 performed on a fiscal year basis and the cost of such audit shall not be considered  
6 as an administrative expense for purposes of subsection 3 of section  
7 196.1115. The [board] **department** shall make copies of each audit available to  
8 the public. Every three years the [board] **department**, with the assistance of its  
9 staff or independent contractors as determined by the [board] **department**, shall  
10 prepare a comprehensive report assessing the work and progress of the life  
11 sciences research program. Such assessment report shall analyze the impact of  
12 the [board's] programs, grants, and contracts performed, shall be provided to the  
13 governor and the general assembly, and shall be available to the public. The cost  
14 of such assessment report shall not be considered an administrative expense for  
15 purposes of subsection 3 of section 196.1115.

196.1121. 1. Grant or contract awards made with moneys appropriated  
2 from the life sciences research trust fund shall provide for the reimbursement of  
3 costs. Whether reimbursement of specific costs is allowed depends on the  
4 application of a four-part test balancing which shall include:

- 5 (1) The reasonableness of the cost;
- 6 (2) The connection to the grant or contract;
- 7 (3) The consistency demonstrated in assigning costs to the grant or  
8 contract; and
- 9 (4) Conformance with the specific terms and conditions of the award or  
10 contract.

11 The [life sciences research board] **department of economic development** may  
12 from time to time issue rules and guidelines consistent with such four-part test  
13 and provide grant and contract recipients with a list or other explanation of  
14 regularly permitted costs.

15 2. Grant and contract recipients shall preserve research freedom, ensure  
16 timely disclosure of their research findings to the scientific community, including  
17 through publications and presentations at scientific meetings, and promote  
18 utilization, commercialization, and public availability of their inventions and  
19 other intellectual property developed as a general institutional  
20 policy. Institutions or organizations receiving grant or contract awards shall  
21 retain all right, title, and interest, including all intellectual property rights, in

22 and to any and all inventions, ideas, data, improvements, modifications,  
23 know-how, creations, copyrightable material, trade secrets, methods, processes,  
24 discoveries, and derivatives, regardless of patentability, that are made in the  
25 performance of work under a grant award. The [life sciences research board]  
26 **department** shall adopt reasonable rules to ensure that any such intellectual  
27 property rights are utilized reasonably and in a manner that is in the public  
28 interest.

196.1127. 1. The moneys appropriated to the [life sciences research  
2 board] **department of economic development** pursuant to sections 196.1100  
3 to 196.1124 shall be subject to the provisions of this section.

4 2. As used in this section, the following terms shall mean:

5 (1) "Abortion services" include performing, inducing, or assisting with  
6 abortions, as defined in section 188.015, or encouraging patients to have  
7 abortions, referring patients for abortions not necessary to save the life of the  
8 mother, or development of drugs, chemicals, or devices intended to be used to  
9 induce an abortion;

10 (2) "Child", a human being recognized as a minor pursuant to the laws of  
11 this state, including if in vivo, an unborn child as defined in section 188.015 and  
12 if in vitro, a human being at any of the stages of biological development of an  
13 unborn child from conception or inception onward;

14 (3) "Conception", the same meaning as such term is defined in section  
15 188.015;

16 (4) "Facilities and administrative costs", those costs that are incurred for  
17 common or joint objectives and therefore cannot be identified readily and  
18 specifically with a particular research project or any other institutional activity;

19 (5) "Human cloning", the creation of a human being by any means other  
20 than by the fertilization of an oocyte of a human female by a sperm of a human  
21 male;

22 (6) "Prohibited human research", research in a research project in which  
23 there is the taking or utilization of the organs, tissues, or cellular material of:

24 (a) A deceased child, unless consent is given by the parents in a manner  
25 provided in sections 194.210 to 194.290 relating to anatomical gifts, and neither  
26 parent caused the death of such child or consented to another person causing the  
27 death of such child;

28 (b) A living child, when the intended or likely result of such taking or  
29 utilization is to kill or cause harm to the health, safety, or welfare of such child,



30 or when the purpose is to target such child for possible destruction in the future;

31 (7) "Public funds", include:

32 (a) Any moneys received or controlled by the state of Missouri or any  
33 official, department, division, agency, or political subdivision thereof, including  
34 but not limited to moneys derived from federal, state, or local taxes, gifts, or  
35 grants from any source, settlements of any claims or causes of action, public or  
36 private, bond proceeds, federal grants or payments, or intergovernmental  
37 transfers;

38 (b) Any moneys received or controlled by an official, department, division,  
39 or agency of state government or any political subdivision thereof, or to any  
40 person or entity pursuant to appropriation by the general assembly or governing  
41 body of any political subdivision of this state;

42 (8) "Research project", research proposed to be funded by an award of  
43 public funds conducted under the auspices of the entity or entities that applied  
44 for and received such award, regardless of whether the research is funded in  
45 whole or in part by such award. Such research shall include basic research,  
46 including the discovery of new knowledge; translational research, including  
47 translational knowledge in a usable form; and clinical research, including but not  
48 limited to health research in human development and aging, cancer, endocrine,  
49 cardiovascular, neurological, pulmonary, and infectious disease.

50 3. Public funds shall not be expended, paid, or granted to or on behalf of  
51 an existing or proposed research project that involves abortion services, human  
52 cloning, or prohibited human research. A research project that receives an award  
53 of public funds shall not share costs with another research project, person, or  
54 entity not eligible to receive public funds pursuant to this subsection; provided  
55 that a research project that receives an award of public funds may pay a pro rata  
56 share of facilities and administrative costs determined in the award of public  
57 funds according to standards that ensure that public funds do not in any way  
58 subsidize facilities and administrative costs of other research projects, persons,  
59 or entities not eligible to receive public funds pursuant to this subsection. The  
60 application for an award of public funds shall set forth the proposed rates of pro  
61 rata cost reimbursement and shall provide supporting data and rationale for such  
62 rates. All applicants for and recipients of awards of public funds shall comply  
63 with the cost accounting principles set forth in Part 9905 of Title 48 of the Code  
64 of Federal Regulations, or successor regulations, in connection with the  
65 application for and administration of the research project. All moneys derived

66 from an award of public funds shall be expended only by checks, drafts, or  
67 electronic transfers using a separate accounting process maintained for each  
68 research project. No moneys derived from an award of public funds shall be used  
69 to cover costs for any other research project or to any other person or entity. No  
70 moneys derived from an award of public funds shall be passed through to any  
71 other research project, person, or entity unless included in the original  
72 application for the award of public funds or in subsequent amendments or  
73 requests to use separate contractors. A research project that receives an award  
74 of public funds shall maintain financial records that demonstrate strict  
75 compliance with this subsection. Any audit conducted pursuant to any grant or  
76 contract awarding public funds shall also certify whether there is compliance with  
77 this subsection and shall note any noncompliance as a material audit finding.

78         4. The provisions of this section shall inure to the benefit of all residents  
79 of this state. Any taxpayer of this state or any political subdivision of this state  
80 shall have standing to bring suit against the state of Missouri or any official,  
81 department, division, agency, or political subdivision of this state, and any  
82 recipient of public funds who or which is in violation of this subsection in any  
83 circuit court with jurisdiction to enforce the provisions of this section.

84         5. This section shall not be construed to permit or make lawful any  
85 conduct that is otherwise unlawful pursuant to the laws of this state.

86         6. Any provision of this section is not severable from any appropriation  
87 subject to this section or any application declared by any court to be subject to  
88 this section. If any provision of this section is found to be invalid or  
89 unconstitutional, any appropriation subject to this section or any appropriation  
90 declared by any court to be subject to this section shall be void, invalid, and  
91 unenforceable.

196.1129. 1. For purposes of this section, the term ["board"]  
2 "**department**" shall mean the [life sciences research board established under  
3 section 196.1103] **department of health and senior services**.

4         2. Subject to appropriations, the [board] **department** shall establish a  
5 program to award grants for the establishment of umbilical cord blood banks to  
6 be located in this state and for the expansion of existing umbilical cord blood  
7 banks located in this state. The purposes and activities of umbilical cord blood  
8 banks eligible for grants for this program shall be directed towards gathering,  
9 collecting, and preserving umbilical cord and placental blood only from live births  
10 and providing such blood and blood components primarily to recipients who are

11 unrelated to the donors of the blood, and towards persons and institutions  
12 conducting scientific research requiring sources of human stem cells.

13 3. The [board] **department** shall, by rule, establish eligibility criteria for  
14 awarding grants under this section. In awarding grants, the [board]  
15 **department** shall consider:

16 (1) The ability of the applicant to establish, operate, and maintain an  
17 umbilical cord blood bank and to provide related services;

18 (2) The experience of the applicant in operating similar facilities; and

19 (3) The applicant's commitment to continue to operate and maintain an  
20 umbilical cord blood bank after the expiration of the terms of the contract  
21 required by subsection 4 of this section.

22 4. Recipients of grants awarded shall enter into contracts under which  
23 each recipient agrees to:

24 (1) Operate and maintain an umbilical cord blood bank in this state at  
25 least until the eighth anniversary of the date of the award of the grant;

26 (2) Gather, collect, and preserve umbilical cord blood only from live births;  
27 and

28 (3) Comply with any financial or reporting requirements imposed on the  
29 recipient under rules adopted by the [board] **department**.

30 5. The grants authorized under this section shall be awarded subject to  
31 funds specifically appropriated for that purpose.

208.955. 1. There is hereby established in the department of social  
2 services the "MO HealthNet Oversight Committee", which shall be appointed by  
3 January 1, 2008, and shall consist of nineteen members as follows:

4 (1) Two members of the house of representatives, one from each party,  
5 appointed by the speaker of the house of representatives and the minority floor  
6 leader of the house of representatives;

7 (2) Two members of the Senate, one from each party, appointed by the  
8 president pro tem of the senate and the minority floor leader of the senate;

9 (3) One consumer representative who has no financial interest in the  
10 health care industry and who has not been an employee of the state within the  
11 last five years;

12 (4) Two primary care physicians, licensed under chapter 334, who care for  
13 participants, not from the same geographic area, chosen in the same manner as  
14 described in section 334.120;

15 (5) Two physicians, licensed under chapter 334, who care for participants

16 but who are not primary care physicians and are not from the same geographic  
17 area, chosen in the same manner as described in section 334.120;

18 (6) One representative of the state hospital association;

19 (7) Two nonphysician health care professionals, the first nonphysician  
20 health care professional licensed under chapter 335 and the second nonphysician  
21 health care professional licensed under chapter 337, who care for participants;

22 (8) One dentist, who cares for participants, chosen in the same manner  
23 as described in section 332.021;

24 (9) Two patient advocates who have no financial interest in the health  
25 care industry and who have not been employees of the state within the last five  
26 years;

27 (10) One public member who has no financial interest in the health care  
28 industry and who has not been an employee of the state within the last five years;  
29 and

30 (11) The directors of the department of social services, the department of  
31 mental health, the department of health and senior services, or the respective  
32 directors' designees, who shall serve as ex officio members of the committee.

33 2. The members of the oversight committee, other than the members from  
34 the general assembly and ex officio members, shall be appointed by the governor  
35 with the advice and consent of the senate. A chair of the oversight committee  
36 shall be selected by the members of the oversight committee. Of the members  
37 first appointed to the oversight committee by the governor, eight members shall  
38 serve a term of two years, seven members shall serve a term of one year, and  
39 thereafter, members shall serve a term of two years. Members shall continue to  
40 serve until their successor is duly appointed and qualified. Any vacancy on the  
41 oversight committee shall be filled in the same manner as the original  
42 appointment. Members shall serve on the oversight committee without  
43 compensation but may be reimbursed for their actual and necessary expenses  
44 from moneys appropriated to the department of social services for that  
45 purpose. The department of social services shall provide technical, actuarial, and  
46 administrative support services as required by the oversight committee. The  
47 oversight committee shall:

48 (1) Meet on at least four occasions annually, including at least four before  
49 the end of December of the first year the committee is established. Meetings can  
50 be held by telephone or video conference at the discretion of the committee;

51 (2) Review the participant and provider satisfaction reports and the

52 reports of health outcomes, social and behavioral outcomes, use of evidence-based  
53 medicine and best practices as required of the health improvement plans and the  
54 department of social services under section 208.950;

55 (3) Review the results from other states of the relative success or failure  
56 of various models of health delivery attempted;

57 (4) Review the results of studies comparing health plans conducted under  
58 section 208.950;

59 (5) Review the data from health risk assessments collected and reported  
60 under section 208.950;

61 (6) Review the results of the public process input collected under section  
62 208.950;

63 (7) Advise and approve proposed design and implementation proposals for  
64 new health improvement plans submitted by the department, as well as make  
65 recommendations and suggest modifications when necessary;

66 (8) Determine how best to analyze and present the data reviewed under  
67 section 208.950 so that the health outcomes, participant and provider satisfaction,  
68 results from other states, health plan comparisons, financial impact of the various  
69 health improvement plans and models of care, study of provider access, and  
70 results of public input can be used by consumers, health care providers, and  
71 public officials;

72 (9) Present significant findings of the analysis required in subdivision (8)  
73 of this subsection in a report to the general assembly and governor, at least  
74 annually, beginning January 1, 2009;

75 (10) Review the budget forecast issued by the legislative budget office, and  
76 the report required under subsection (22) of subsection 1 of section 208.151, and  
77 after study:

78 (a) Consider ways to maximize the federal drawdown of funds;

79 (b) Study the demographics of the state and of the MO HealthNet  
80 population, and how those demographics are changing;

81 (c) Consider what steps are needed to prepare for the increasing numbers  
82 of participants as a result of the baby boom following World War II;

83 (11) Conduct a study to determine whether an office of inspector general  
84 shall be established. Such office would be responsible for oversight, auditing,  
85 investigation, and performance review to provide increased accountability,  
86 integrity, and oversight of state medical assistance programs, to assist in  
87 improving agency and program operations, and to deter and identify fraud, abuse,

88 and illegal acts. The committee shall review the experience of all states that  
89 have created a similar office to determine the impact of creating a similar office  
90 in this state; and

91 (12) Perform other tasks as necessary, including but not limited to making  
92 recommendations to the division concerning the promulgation of rules and  
93 emergency rules so that quality of care, provider availability, and participant  
94 satisfaction can be assured.

95 3. [The oversight committee shall designate a subcommittee devoted to  
96 advising the department on the development of a comprehensive entry point  
97 system for long-term care that shall:

98 (1) Offer Missourians an array of choices including community-based,  
99 in-home, residential and institutional services;

100 (2) Provide information and assistance about the array of long-term care  
101 services to Missourians;

102 (3) Create a delivery system that is easy to understand and access  
103 through multiple points, which shall include but shall not be limited to providers  
104 of services;

105 (4) Create a delivery system that is efficient, reduces duplication, and  
106 streamlines access to multiple funding sources and programs;

107 (5) Strengthen the long-term care quality assurance and quality  
108 improvement system;

109 (6) Establish a long-term care system that seeks to achieve timely access  
110 to and payment for care, foster quality and excellence in service delivery, and  
111 promote innovative and cost-effective strategies; and

112 (7) Study one-stop shopping for seniors as established in section 208.612.

113 4. The subcommittee shall include the following members:

114 (1) The lieutenant governor or his or her designee, who shall serve as the  
115 subcommittee chair;

116 (2) One member from a Missouri area agency on aging, designated by the  
117 governor;

118 (3) One member representing the in-home care profession, designated by  
119 the governor;

120 (4) One member representing residential care facilities, predominantly  
121 serving MO HealthNet participants, designated by the governor;

122 (5) One member representing assisted living facilities or continuing care  
123 retirement communities, predominantly serving MO HealthNet participants,

124 designated by the governor;

125 (6) One member representing skilled nursing facilities, predominantly  
126 serving MO HealthNet participants, designated by the governor;

127 (7) One member from the office of the state ombudsman for long-term care  
128 facility residents, designated by the governor;

129 (8) One member representing Missouri centers for independent living,  
130 designated by the governor;

131 (9) One consumer representative with expertise in services for seniors or  
132 persons with a disability, designated by the governor;

133 (10) One member with expertise in Alzheimer's disease or related  
134 dementia;

135 (11) One member from a county developmental disability board,  
136 designated by the governor;

137 (12) One member representing the hospice care profession, designated by  
138 the governor;

139 (13) One member representing the home health care profession,  
140 designated by the governor;

141 (14) One member representing the adult day care profession, designated  
142 by the governor;

143 (15) One member gerontologist, designated by the governor;

144 (16) Two members representing the aged, blind, and disabled population,  
145 not of the same geographic area or demographic group designated by the  
146 governor;

147 (17) The directors of the departments of social services, mental health,  
148 and health and senior services, or their designees; and

149 (18) One member of the house of representatives and one member of the  
150 senate serving on the oversight committee, designated by the oversight committee  
151 chair.

152 Members shall serve on the subcommittee without compensation but may be  
153 reimbursed for their actual and necessary expenses from moneys appropriated to  
154 the department of health and senior services for that purpose. The department  
155 of health and senior services shall provide technical and administrative support  
156 services as required by the committee.

157 5.] The provisions of section 23.253 shall not apply to sections 208.950 to  
158 208.955.

210.170. 1. There is hereby created within the office of administration of

2 the state of Missouri the "Children's Trust Fund Board", which shall be composed  
3 of [twenty-one] **seventeen** members as follows:

4 (1) [Twelve] **Eight** public members to be appointed by the governor by  
5 and with the advice and consent of the senate. As a group, the public members  
6 appointed pursuant to this subdivision shall demonstrate knowledge in the area  
7 of prevention programs, shall be representative of the demographic composition  
8 of this state, and, to the extent practicable, shall be representative [of all] of the  
9 following categories:

- 10 (a) Organized labor;
- 11 (b) The business community;
- 12 (c) The educational community;
- 13 (d) The religious community;
- 14 (e) The legal community;
- 15 (f) Professional providers of prevention services to families and children;
- 16 (g) Volunteers in prevention services;
- 17 (h) Social services;
- 18 (i) Health care services; and
- 19 (j) Mental health services;
- 20 (2) A physician licensed pursuant to chapter 334;
- 21 (3) Two members of the Missouri house of representatives, who shall be  
22 appointed by the speaker of the house of representatives and shall be members  
23 of two different political parties;
- 24 (4) Two members of the Missouri senate, who shall be appointed by the  
25 president pro tem of the senate and who shall be members of two different  
26 political parties; and
- 27 (5) Four members chosen and appointed by the governor.

28 2. All members of the board appointed by the speaker of the house or the  
29 president pro tem of the senate shall serve until their term in the house or senate  
30 during which they were appointed to the board expires. All public members of  
31 the board shall serve for terms of three years[; except, that of the public members  
32 first appointed, four shall serve for terms of three years, four shall serve for  
33 terms of two years, and three shall serve for terms of one year]. No public  
34 members may serve more than two consecutive terms, regardless of whether such  
35 terms were full or partial terms. Each member shall serve until his successor is  
36 appointed. All vacancies on the board shall be filled for the balance of the  
37 unexpired term in the same manner in which the board membership which is



38 vacant was originally filled.

39           3. Any public member of the board may be removed by the governor for  
40 misconduct, incompetency, or neglect of duty after first being given the  
41 opportunity to be heard in his or her own behalf.

42           4. The board may employ an executive director who shall be charged with  
43 carrying out the duties and responsibilities assigned to him or her by the  
44 board. The executive director may obtain all necessary office space, facilities, and  
45 equipment, and may hire and set the compensation of such staff as is approved  
46 by the board and within the limitations of appropriations for the purpose. All  
47 staff members, except the executive director, shall be employed pursuant to  
48 chapter 36.

49           5. Each member of the board may be reimbursed for all actual and  
50 necessary expenses incurred by the member in the performance of his or her  
51 official duties. All reimbursements made pursuant to this subsection shall be  
52 made from funds in the children's trust fund appropriated for that purpose.

53           6. All business transactions of the board shall be conducted in public  
54 meetings in accordance with sections 610.010 to 610.030.

55           7. The board may accept federal funds for the purposes of sections 210.170  
56 to 210.173 and section 143.1000 as well as gifts and donations from individuals,  
57 private organizations, and foundations. The acceptance and use of federal funds  
58 shall not commit any state funds nor place any obligation upon the general  
59 assembly to continue the programs or activities for which the federal funds are  
60 made available. All funds received in the manner described in this subsection  
61 shall be transmitted to the state treasurer for deposit in the state treasury to the  
62 credit of the children's trust fund.

63           8. The board shall elect a chairperson from among the public members,  
64 who shall serve for a term of two years. The board may elect such other officers  
65 and establish such committees as it deems appropriate.

66           9. The board shall exercise its powers and duties independently of the  
67 office of administration except that budgetary, procurement, accounting, and  
68 other related management functions shall be performed by the office of  
69 administration.

          253.408. 1. Sections 253.408 to 253.412 shall be known and may be cited  
2 as the "State Historic Preservation Act".

3           2. The director of the department of natural resources is hereby  
4 designated as the state historic preservation officer. The state historic

5 preservation office shall be located in the department of natural resources and  
6 shall be responsible for establishing, implementing, and administering federal  
7 and state programs or plans for historic preservation and shall have the following  
8 duties including, but not limited to:

9 (1) Direct and conduct a comprehensive statewide survey of historic,  
10 archaeological, architectural, and cultural properties and maintain inventories  
11 of such properties;

12 (2) Identify and nominate eligible properties to the National Register of  
13 Historic Places and otherwise administer applications for listing historic  
14 properties on the national register;

15 (3) Prepare and implement a comprehensive statewide historic  
16 preservation plan;

17 (4) Administer the state program of federal assistance for historic  
18 preservation within the state;

19 (5) Administer historic preservation fund grants as mandated by the  
20 National Historic Preservation Act of 1966, as amended;

21 (6) Provide public information, education and training, and technical  
22 assistance relating to the federal and state historic preservation programs;

23 (7) Cooperate with local governments in the development of local historic  
24 preservation programs, and to assist local governments in becoming certified  
25 pursuant to the Historic Preservation Act of 1966, as amended;

26 (8) Advise and assist federal and state agencies and local governments in  
27 carrying out their historic preservation responsibilities;

28 (9) Cooperate with the National Advisory Council on Historic  
29 Preservation, federal and state agencies, local governments, and organizations  
30 and individuals to ensure that historic properties are taken into consideration at  
31 all levels of planning and development;

32 (10) Administer the state unmarked human burial sites, as detailed in  
33 sections 194.400 to 194.410;

34 (11) Administer the historic preservation revolving fund, as detailed in  
35 sections 253.400 to 253.407; and

36 (12) Cooperate with the department of economic development in  
37 administering the main street Missouri act, as detailed in sections 251.470 to  
38 251.485.

39 **3. (1) There is hereby established and created, within the**  
40 **department of natural resources, the "Missouri Advisory Council on**

41 **Historic Preservation"** consisting of twelve persons, to be appointed by  
42 **the governor with the advice and consent of the senate, who shall serve**  
43 **without compensation other than expenses incurred. The membership**  
44 **of the council shall be as provided in 36 C.F.R. Part 1201.4, as may be**  
45 **amended from time to time, and shall consist of persons having**  
46 **expertise and knowledge in the fields of history, historic and**  
47 **prehistoric archaeology, architectural history, architecture, and**  
48 **economic and community development, as well as nonprofessional**  
49 **members with demonstrated interest in historic preservation. Each**  
50 **member shall serve for a term of two years from the date of**  
51 **appointment and until his or her replacement is duly appointed.**

52 **(2) The council shall meet at least quarterly and may adopt**  
53 **bylaws to govern its operations which bylaws shall be consistent with**  
54 **all applicable federal rules and regulations.**

55 **(3) The council shall have all the powers, duties and**  
56 **responsibilities provided by federal law and the rules and regulations**  
57 **for such council including, but not limited to, the following:**

58 **(a) Reviewing and approving each national register nomination**  
59 **prior to submission to the national register; and**

60 **(b) Reviewing each completed state historic preservation plan as**  
61 **developed by the state historic preservation officer prior to its**  
62 **submission to the Secretary of the United States Department of**  
63 **Interior; and**

64 **(c) Providing general advice, guidance, and professional**  
65 **recommendations to the state historic preservation officer in**  
66 **conducting the comprehensive statewide survey, preparing the state**  
67 **historic preservation plan, carrying out any grants-in-aid program, and**  
68 **carrying out the other duties and responsibilities of the state historic**  
69 **preservation officer.**

324.406. 1. There is hereby created within the division of professional  
2 registration a council to be known as the "Interior Design Council". The council  
3 shall consist of four interior designers and one public member appointed by the  
4 [governor with the advice and consent of the senate] **director of the**  
5 **division.** The [governor] **director** shall give due consideration to the  
6 recommendations by state organizations of the interior design profession for the  
7 appointment of the interior design members to the council. Council members  
8 shall be appointed to serve a term of four years; except that of the members first

9 appointed, one interior design member and the public member shall be appointed  
10 for terms of four years, one member shall be appointed for a term of three years,  
11 one member shall be appointed for a term of two years and one member shall be  
12 appointed for a term of one year. No member of the council shall serve more than  
13 two terms.

14 2. Each council member, other than the public member, shall be a citizen  
15 of the United States, a resident of the state of Missouri for at least one year, meet  
16 the qualifications for professional registration, practice interior design as the  
17 person's principal livelihood and, except for the first members appointed, be  
18 registered pursuant to sections 324.400 to 324.439 as an interior designer.

19 3. The public member shall be, at the time of such person's appointment,  
20 a citizen of the United States, a registered voter, a person who is not and never  
21 was a member of the profession regulated by sections 324.400 to 324.439 or the  
22 spouse of such a person and a person who does not have and never has had a  
23 material financial interest in the providing of the professional services regulated  
24 by sections 324.400 to 324.439. The duties of the public member shall not include  
25 the determination of the technical requirements for the registration of persons as  
26 interior designers. The provisions of section 324.028 pertaining to public  
27 members of certain state boards and commissions shall apply to the public  
28 member of the council.

29 4. Members of the council may be removed from office for cause. Upon the  
30 death, resignation or removal from office of any member of the council, the  
31 appointment to fill the vacancy shall be for the unexpired portion of the term so  
32 vacated and shall be filled in the same manner as the first appointment and due  
33 notice be given to the state organizations of the interior design profession prior  
34 to the appointment.

35 5. Each member of the council may receive as compensation an amount  
36 set by the division not to exceed fifty dollars per day and shall be reimbursed for  
37 the member's reasonable and necessary expenses incurred in the official  
38 performance of the member's duties as a member of the council. The director  
39 shall establish by rule guidelines for payment.

40 6. The council shall meet at least twice each year and **guide, advise, and**  
41 **make recommendations to** the division on matters within the scope of sections  
42 324.400 to 324.439. The organization of the council shall be established by the  
43 members of the council.

44 [7. The council may sue and be sued as the interior design council and the

45 council members need not be named as parties. Members of the council shall not  
46 be personally liable either jointly or severally for any act committed in the  
47 performance of their official duties as council members. No council member shall  
48 be personally liable for any costs which accrue in any action by or against the  
49 council.]

324.409. 1. To be a registered interior designer, a person:

2 (1) Shall take and pass or have passed the examination administered by  
3 the National Council for Interior Design Qualification or an equivalent  
4 examination approved by the [council] **division**. In addition to proof of passage  
5 of the examination, the application shall provide substantial evidence to the  
6 [council] **division** that the applicant:

7 (a) Is a graduate of a five-year or four-year interior design program from  
8 an accredited institution and has completed at least two years of diversified and  
9 appropriate interior design experience; or

10 (b) Has completed at least three years of an interior design curriculum  
11 from an accredited institution and has completed at least three years of  
12 diversified and appropriate interior design experience; or

13 (c) Is a graduate of a two-year interior design program from an accredited  
14 institution and has completed at least four years of diversified and appropriate  
15 interior design experience; or

16 (2) May qualify who is currently registered pursuant to sections 327.091  
17 to 327.171, and section 327.401 pertaining to the practice of architecture and  
18 registered with the [council] **division**. Such applicant shall give authorization  
19 to the [council] **division** in order to verify current registration with sections  
20 327.091 to 327.171 and section 327.401 pertaining to the practice of architecture.

21 2. Verification of experience required pursuant to this section shall be  
22 based on a minimum of two client references, business or employment verification  
23 and three industry references, submitted to the [council] **division**.

24 3. The [council] **division** shall verify if an applicant has complied with  
25 the provisions of this section and has paid the required fees, then the [council]  
26 **division** shall recommend such applicant be registered as a registered interior  
27 designer by the [council] **division**.

324.412. [1.] The division shall:

2 (1) Employ, within the limits of the appropriations for that purpose, such  
3 employees as are necessary to carry out the provisions of sections 324.400 to  
4 324.439;

5 (2) Exercise all budgeting, purchasing, reporting and other related  
6 management functions[.

7 2. The council shall:];

8 [(1)] (3) Recommend prosecution for violations of sections 324.400 to  
9 324.439 to the appropriate prosecuting or circuit attorney;

10 [(2)] (4) Promulgate such rules and regulations as are necessary to  
11 administer the provisions of sections 324.400 to 324.439. Any rule or portion of  
12 a rule, as that term is defined in section 536.010, that is promulgated to  
13 administer and enforce sections 324.400 to 324.439, shall become effective only  
14 if the agency has fully complied with all of the requirements of chapter 536,  
15 including but not limited to, section 536.028, if applicable, after August 28, 1998.  
16 If the provisions of section 536.028 apply, the provisions of this section are  
17 nonseverable and if any of the powers vested with the general assembly pursuant  
18 to section 536.028 to review, to delay the effective date, or to disapprove and  
19 annul a rule or portion of a rule are held unconstitutional or invalid, the  
20 purported grant of rulemaking authority and any rule so proposed and contained  
21 in the order of rulemaking shall be invalid and void, except that nothing in this  
22 section shall affect the validity of any rule adopted and promulgated prior to  
23 August 28, 1998.

324.415. Applications for registration as a registered interior designer  
2 shall be typewritten on forms prescribed by the [council] **division** and furnished  
3 to the applicant. The application shall contain the applicant's statements  
4 showing the applicant's education, experience, results of previous interior design  
5 certification, registration or licensing examinations, if any, and such other  
6 pertinent information as the [council] **division** may require, or architect's  
7 registration number and such other pertinent information as the [council]  
8 **division** may require. Each application shall contain a statement that is made  
9 under oath or affirmation and that the representations are true and correct to the  
10 best knowledge and belief of the person signing the application. The person shall  
11 be subject to the penalties for making a false affidavit or declaration and shall be  
12 accompanied by the required fee.

324.421. The [council] **division** shall register without examination any  
2 interior designer certified, licensed or registered in another state or territory of  
3 the United States or foreign country if the applicant has qualifications which are  
4 at least equivalent to the requirements for registration as a registered interior  
5 designer in this state and such applicant pays the required fees.

324.424. 1. The [council] **division** shall set the amount of the fees  
2 authorized by sections 324.400 to 324.439 by rules and regulations. The fees  
3 shall be set at a level to produce revenue which shall not substantially exceed the  
4 cost and expense of administering sections 324.400 to 324.439. All fees required  
5 pursuant to sections 324.400 to 324.439 shall be paid to and collected by the  
6 division of professional registration and transmitted to the department of revenue  
7 for deposit in the state treasury to the credit of the "Interior Designer Council  
8 Fund", which is hereby created.

9 2. Notwithstanding the provisions of section 33.080 to the contrary, money  
10 in the fund shall not be transferred and placed to the credit of general revenue  
11 until the amount in the fund at the end of the biennium exceeds three times the  
12 amount of the appropriation to the council for the preceding fiscal year. The  
13 amount, if any, in the fund which shall lapse is the amount in the fund which  
14 exceeds the appropriate multiple of the appropriations to the council for the  
15 preceding fiscal year.

324.427. It is unlawful for any person to advertise or indicate to the public  
2 that the person is a registered interior designer in this state, unless such person  
3 is registered as a registered interior designer by the [council] **division** and is in  
4 good standing pursuant to sections 324.400 to 324.439.

324.430. No person may use the designation registered interior designer  
2 in Missouri, unless the [council] **division** has issued a current certificate of  
3 registration certifying that the person has been duly registered as a registered  
4 interior designer in Missouri and unless such registration has been renewed or  
5 reinstated as provided in section 324.418.

324.436. 1. The [council] **division** may refuse to issue any certificate  
2 required pursuant to sections 324.400 to 324.439, or renew or reinstate any such  
3 certificate, for any one or any combination of the reasons stated in subsection 2  
4 of this section. The [council] **division** shall notify the applicant in writing of the  
5 reasons for the refusal and shall advise the applicant of the person's right to file  
6 a complaint with the administrative hearing commission as provided in chapter  
7 621.

8 2. The [council] **division** may cause a complaint to be filed with the  
9 administrative hearing commission as provided by chapter 621 against any holder  
10 of a certificate of registration required by sections 324.400 to 324.439 or any  
11 person who has failed to renew or has surrendered the person's certificate of  
12 registration for any one or combination of the following reasons:

13 (1) The person has been finally adjudicated and found guilty, or entered  
14 a plea of guilty or nolo contendere, in a criminal prosecution under the laws of  
15 this state or any other state or of the United States, for any offense reasonably  
16 related to the qualifications, functions or duties of the profession regulated by  
17 sections 324.400 to 324.439; for any offense for which an essential element is  
18 fraud, dishonesty or an act of violence; or for a felony, whether or not sentence  
19 is imposed;

20 (2) Use of fraud, deception, misrepresentation or bribery in securing any  
21 certificate of registration issued pursuant to sections 324.400 to 324.439 or in  
22 obtaining permission to take any examination given or required pursuant to  
23 sections 324.400 to 324.439;

24 (3) Obtaining or attempting to obtain any fee, charge, tuition or other  
25 compensation by fraud, deception or misrepresentation;

26 (4) Incompetency, misconduct, gross negligence, fraud, misrepresentation  
27 or dishonesty in the performance of the functions or duties of the profession  
28 regulated by sections 324.400 to 324.439;

29 (5) Violation of, or assisting or enabling any person to violate, any  
30 provision of sections 324.400 to 324.439, or of any lawful rule or regulation  
31 adopted pursuant to such sections;

32 (6) Impersonation of any person holding a certificate of registration or  
33 authority, permit or license or allowing any person to use the person's certificate  
34 or diploma from any school;

35 (7) Disciplinary action against the holder of a certificate of registration  
36 or other right to perform the profession regulated by sections 324.400 to 324.439  
37 granted by another state, territory, federal agency or country upon grounds for  
38 which revocation or suspension is authorized in this state;

39 (8) A person is finally adjudged insane or incompetent by a court of  
40 competent jurisdiction;

41 (9) Issuance of a certificate of registration based upon a material mistake  
42 of fact;

43 (10) Use of any advertisement or solicitation which is false, misleading or  
44 deceptive to the general public or persons to whom the advertisement or  
45 solicitation is primarily directed, as it relates to the interior design profession.

46 3. After the filing of a complaint pursuant to subsection 2 of this section,  
47 the proceedings shall be conducted in accordance with the provisions of chapter  
48 536 and chapter 621. Upon a finding by the administrative hearing commission



49 that the grounds, provided in subsection 2 of this section, for disciplinary action  
50 are met, the [council] **division** shall censure or place the person named in the  
51 complaint on probation for a period not to exceed five years or may suspend the  
52 person's certificate for a period not to exceed three years or may revoke the  
53 person's certificate of registration.

453.600. 1. There is hereby created in the state treasury the "Foster Care  
2 and Adoptive Parents Recruitment and Retention Fund" which shall consist of all  
3 gifts, donations, transfers, and moneys appropriated by the general assembly, and  
4 bequests to the fund. The fund shall maintain no more than the total of the last  
5 two years of funding or a minimum of three hundred thousand dollars, whichever  
6 is greater. The fund shall be administered by the [foster care and adoptive  
7 parents recruitment and retention fund board created in subsection 3 of this  
8 section] **Missouri state foster care and adoption board created in section**  
9 **210.617**.

10 2. The state treasurer shall be custodian of the fund and may approve  
11 disbursements from the fund in accordance with sections 30.170 and  
12 30.180. Notwithstanding the provisions of section 33.080 to the contrary, any  
13 moneys remaining in the fund at the end of the biennium shall not revert to the  
14 credit of the general revenue fund. The state treasurer shall invest moneys in the  
15 fund in the same manner as other funds are invested. Any interest and moneys  
16 earned on such investments shall be credited to the fund.

17 3. [There is hereby created the "Foster Care and Adoptive Parents  
18 Recruitment and Retention Fund Board" within the department of social  
19 services. The board shall consist of the following members or their designees:

- 20 (1) The director of the department of social services;  
21 (2) The director of the department of mental health;  
22 (3) The director of the department of health and senior services;  
23 (4) The following six members to be appointed by the director of the  
24 department of social services:  
25 (a) Two representatives of a recognized foster parent association;  
26 (b) Two representatives of a licensed child-placing agency; and  
27 (c) Two representatives of a licensed residential treatment center.

28 Members appointed under subdivision (4) of this subsection shall serve three-year  
29 terms, subject to reappointment. Of the members initially appointed, three shall  
30 be appointed for a two-year term and three shall be appointed three-year terms.  
31 All members of the board shall serve without compensation but shall, subject to

32 appropriation, be reimbursed for reasonable and necessary expenses actually  
33 incurred in the performance of their official duties as members of the board. The  
34 department of social services shall, with existing resources, provide  
35 administrative support and current staff as necessary for the effective operation  
36 of the board.

37 4.] Upon appropriation, moneys in the fund shall be used to grant awards  
38 to licensed community-based foster care and adoption recruitment programs. The  
39 board shall establish guidelines for disbursement of the fund to certain  
40 programs. Such programs shall include, but not be limited to, recruitment and  
41 retention of foster and adoptive families for children who:

- 42 (1) Have been in out-of-home placement for fifteen months or more;
- 43 (2) Are more than twelve years of age; or
- 44 (3) Are in sibling groups.

45 Moneys in the fund shall not be subject to appropriation for purposes other than  
46 those of evidence-based foster care and adoption programs as designated by the  
47 board [established under this section.

48 5. Under section 23.253 of the Missouri sunset act:

49 (1) The provisions of the new fund authorized under this section shall  
50 automatically sunset six years after August 28, 2011, unless reauthorized by an  
51 act of the general assembly; and

52 (2) If such fund is reauthorized, the fund authorized under this section  
53 shall automatically sunset twelve years after the effective date of the  
54 reauthorization of this section; and

55 (3) This section shall terminate on December thirty-first of the calendar  
56 year immediately following the calendar year in which the fund authorized under  
57 this section is sunset].

620.1200. 1. There is hereby established the "Missouri Film Commission"  
2 to advise the director of the department of economic development on the  
3 promotion of the development of film production and facilities in Missouri.

4 2. The commission shall be composed of [nine members as follows:

5 (1) Two members shall be a state senator appointed in a bipartisan  
6 manner by the president pro tem of the senate;

7 (2) Two members shall be a state representative appointed in a bipartisan  
8 manner by the speaker of the house; and

9 (3)] five members, who have knowledge and experience with the motion  
10 picture industry, **who** shall be appointed by the director of the department of

11 economic development.

12           3. The members of the [board] **commission** appointed by the director  
13 shall be appointed to serve terms of three years; except that, of the members first  
14 appointed, two shall be appointed for a term of three years, two shall be  
15 appointed for a term of two years and one shall be appointed for a one-year  
16 term. [Any legislative member shall serve only as long as such person holds such  
17 legislative office. The legislative members shall serve during their current term  
18 of office but may be reappointed.]

19           4. The members of the commission shall receive no compensation for  
20 serving on the commission but shall be reimbursed for their actual and necessary  
21 expenses incurred in the performance of their official duties.

22           5. The commission shall provide oversight and guidance to the director of  
23 the department of economic development in administering the office of the  
24 Missouri film commission, established in section 620.1210. The commission shall  
25 make recommendations to the governor and the general assembly on:

26           (1) The removal of barriers so that film production in Missouri may be  
27 more easily promoted; and

28           (2) The development of state incentives to attract private investment in  
29 film production in the state.

30           6. The commission shall submit its recommendations by January first of  
31 each year, beginning January 1, 1998.

633.200. 1. For purposes of this section, the term "autism spectrum  
2 disorder" shall be defined as in standard diagnostic criteria for pervasive  
3 developmental disorder, to include autistic disorder; Asperger's syndrome;  
4 pervasive developmental disorder-not otherwise specified; childhood disintegrative  
5 disorder; and Rett's syndrome.

6           2. There is hereby created the "Missouri Commission on Autism Spectrum  
7 Disorders" to be housed within the department of mental health. The department  
8 of mental health shall provide technical and administrative support as required  
9 by the commission. The commission shall meet on at least four occasions  
10 annually, including at least two occasions before the end of December of the first  
11 year the commission is fully established. The commission may hold meetings by  
12 telephone or video conference. The commission shall advise and make  
13 recommendations to the governor, general assembly, and relevant state agencies  
14 regarding matters concerning all state levels of autism spectrum disorder  
15 services, including health care, education, and other adult and adolescent

16 services.

17           3. The commission shall be composed of twenty-four members, consisting  
18 of the following:

19           (1) Four members of the general assembly, with two members from the  
20 senate and two members from the house of representatives. The president pro  
21 tem of the senate shall appoint one member from the senate and the minority  
22 leader of the senate shall appoint one member from the senate. The speaker of  
23 the house shall appoint one member from the house of representatives and the  
24 minority leader of the house shall appoint one member from the house of  
25 representatives;

26           (2) The director of the department of mental health, or his or her  
27 designee;

28           (3) The commissioner of the department of elementary and secondary  
29 education, or his or her designee;

30           (4) The director of the department of health and senior services, or his or  
31 her designee;

32           (5) The director of the department of public safety, or his or her designee;

33           (6) The commissioner of the department of higher education, or his or her  
34 designee;

35           (7) The director of the department of social services, or his or her  
36 designee;

37           (8) The director of the department of insurance, financial institutions and  
38 professional registration, or his or her designee;

39           (9) Two representatives from different institutions of higher learning  
40 located in Missouri;

41           (10) An individual employed as a director of special education at a school  
42 district located in Missouri;

43           (11) A speech and language pathologist;

44           (12) A diagnostician;

45           (13) A mental health provider;

46           (14) A primary care physician;

47           (15) Two parents of individuals with autism spectrum disorder, including  
48 one parent of an individual under the age of eighteen and one parent of an  
49 individual over the age of eighteen;

50           (16) Two individuals with autism spectrum disorder;

51           (17) A representative from an independent private provider or nonprofit

52 provider or organization;

53 (18) A member of a county developmental disability board.

54 The members of the commission, other than the members from the general  
55 assembly and ex-officio members, shall be appointed by the [governor with the  
56 advice and consent of the senate] **director of the department of mental**  
57 **health**. A chair of the commission shall be selected by the members of the  
58 commission. Of the members first appointed to the commission by the governor,  
59 half shall serve a term of four years and half shall serve a term of two years, and  
60 thereafter, members shall serve a term of four years **and may be**  
61 **reappointed**. Members shall continue to serve until their successor is duly  
62 appointed and qualified. Any vacancy on the commission shall be filled in the  
63 same manner as the original appointment. Members shall serve on the  
64 commission without compensation but may be reimbursed for their actual and  
65 necessary expenses from moneys appropriated to the department of mental  
66 health.

67 4. The members of the commission shall consist of a broad representation  
68 of Missouri citizens, both urban and rural, who are concerned with the health and  
69 quality of life for individuals with autism spectrum disorder.

70 5. The commission shall make recommendations for developing a  
71 comprehensive statewide plan for an integrated system of training, treatment,  
72 and services for individuals of all ages with autism spectrum disorder. By July  
73 1, 2009, the commission shall issue preliminary findings and recommendations  
74 to the general assembly.

75 6. In preparing the state plan, the commission shall specifically perform  
76 the following responsibilities and report on them accordingly, in conjunction with  
77 state agencies and the office of autism services:

78 (1) Study and report on the means for developing a comprehensive,  
79 coordinated system of care delivery across the state to address the increased and  
80 increasing presence of autism spectrum disorder and ensure that resources are  
81 created, well-utilized, and appropriately spread across the state:

82 (a) Determine the need for the creation of additional centers for diagnostic  
83 excellence in designated sectors of the state, which could provide clinical services,  
84 including assessment, diagnoses, and treatment of patients;

85 (b) Plan for effectively evaluating regional service areas throughout the  
86 state and their capacity, including outlining personnel and skills that exist within  
87 the service area, other capabilities that exist, and resource needs that may be

88 unmet;

89 (c) Assess the need for additional behavioral intervention capabilities and,  
90 as necessary, the means for expanding those capabilities in a regional service  
91 area;

92 (d) Develop recommendations for expanding these services in conjunction  
93 with hospitals after considering the resources that exist in terms of specialty  
94 clinics and hospitals, and hospital inpatient care capabilities;

95 (2) Conduct an assessment of the need for coordinated, enhanced and  
96 targeted special education capabilities within each region of the state;

97 (3) Develop a recommendation for enlisting appropriate universities and  
98 colleges to ensure support and collaboration in developing certification or degree  
99 programs for students specializing in autism spectrum disorder  
100 intervention. This may include degree programs in education, special education,  
101 social work, and psychology; and

102 (4) Other responsibilities may include but not be limited to:

103 (a) Provide recommendations regarding training programs and the content  
104 of training programs being developed;

105 (b) Recommend individuals to participate in a committee of major  
106 stakeholders charged with developing screening, diagnostic, assessment, and  
107 treatment standards for Missouri;

108 (c) Participate in recommending a panel of qualified professionals and  
109 experts to review existing models of evidence-based educational practices for  
110 adaptation specific to Missouri;

111 (d) Examine the barriers to accurate information of the prevalence of  
112 individuals with autism spectrum disorder across the state and recommend a  
113 process for accurate reporting of demographic data;

114 (e) Explore the need for the creation of interagency councils and  
115 evaluation of current councils to ensure a comprehensive, coordinated system of  
116 care for all individuals with autism spectrum disorder;

117 (f) Study or explore other developmental delay disorders and genetic  
118 conditions known to be associated with autism, including fragile X syndrome;  
119 Sotos syndrome; Angelman syndrome; and tuberous sclerosis.

2 [194.409. 1. There is hereby created in the department of  
3 natural resources, an "Unmarked Human Burial Consultation  
4 Committee", which shall be composed of seven members to be  
appointed by the governor with the advice and consent of the

5 senate. The members of the committee shall be appointed as  
6 follows: the state historic preservation officer, two members who  
7 are archaeologists or skeletal analysts, two native Americans who  
8 are members of an Indian tribe recognized by the United States of  
9 America, one member who is a non-Indian minority, and one  
10 non-Indian, non-minority member who is neither a professional  
11 archaeologist nor a skeletal analyst. Members of the committee  
12 shall be residents of the state of Missouri.

13 2. The state historic preservation officer shall be chairman  
14 of the committee and shall serve a term which is contemporaneous  
15 with his employment as director of the department of natural  
16 resources. The terms of all other members of the committee shall  
17 be three years.

18 3. The committee shall meet at least once each calendar  
19 year, but may meet more often at the request of the state historic  
20 preservation officer.

21 4. The members of the committee shall serve voluntarily  
22 and shall not receive compensation for membership on the  
23 committee, except that they shall be eligible to receive  
24 reimbursement for transportation expenses as provided for through  
25 the budget approved for the office of the state historic preservation  
26 officer.

27 5. All actions and decisions of the state historic  
28 preservation officer and the unmarked human burial consultation  
29 committee shall be in conformity with the provisions of the federal  
30 National Historic Preservation Act of 1966, as amended.]

2 [196.1124. No member of the life sciences research board  
3 shall be employed by any public or private not-for-profit entity  
4 entitled to receive financial support from the life sciences research  
5 trust fund, or participate in the making of any decision by the  
6 board to make any grant to the board member, any person who is  
7 related to the board member within the fourth degree of  
8 consanguinity or affinity, any public entity for which the board  
9 member serves as an officer, director, or other member of the  
10 entity's governing body, or any private entity for which the board  
member or the member's spouse is employed, serves as an officer,

11 director, or other member of the entity's governing body. The board  
12 may from time to time issue conflict of interest guidelines and  
13 requirements with respect to the administration of the life sciences  
14 research program, to govern the actions of its employees and  
15 agents, and to implement the provisions of this section.]

[208.197. 1. The "Professional Services Payment  
2 Committee" is hereby established within the MO HealthNet  
3 division to develop and oversee the pay-for-performance payment  
4 program guidelines under section 208.153. The members of the  
5 committee shall be appointed by the governor no later than  
6 December 31, 2007, and shall be subject to the advice and consent  
7 of the senate. The committee shall be composed of eighteen  
8 members, geographically balanced, including nine physicians  
9 licensed to practice in this state, two patient advocates and the  
10 attorney general, or his or her designee. The remaining members  
11 shall be persons actively engaged in hospital administration,  
12 nursing home administration, dentistry, and pharmaceuticals. The  
13 members of the committee shall receive no compensation for their  
14 services other than expenses actually incurred in the performance  
15 of their official duties.

16 2. The MO HealthNet division shall maintain the  
17 pay-for-performance payment program in a manner that ensures  
18 quality of care, fosters the relationship between the patient and the  
19 provider, uses accurate data and evidence-based measures, does not  
20 discourage providers from caring for patients with complex or  
21 high-risk conditions, and provides fair and equitable program  
22 incentives.]

[217.900. 1. There is hereby established the "Missouri  
2 State Penitentiary Redevelopment Commission".

3 2. The commission shall consist of ten commissioners who  
4 shall be qualified voters of the state of Missouri. Three  
5 commissioners, no more than two of whom shall belong to the same  
6 political party, shall be residents of Jefferson City and shall be  
7 appointed by the mayor of that city with the advice and consent of  
8 the governing body of that city; three commissioners, no more than  
9 two of whom shall belong to the same political party, shall be



10 residents of Cole County but not of Jefferson City and shall be  
11 appointed by the county commission; and four commissioners, no  
12 more than three of whom shall belong to the same political party,  
13 none of whom shall be residents of Cole County or of Jefferson City,  
14 shall be appointed by the governor with the advice and consent of  
15 the senate. The governor shall appoint one of the commissioners  
16 who is not a resident of Cole County or Jefferson City to be the  
17 chair of the commission. No elected official of the state of Missouri  
18 or of any city or county in this state shall be appointed to the  
19 commission.]

[217.903. The commissioners shall serve for terms of three  
2 years, except that the first person appointed by each the mayor, the  
3 county commission and the governor shall serve for two years and  
4 the second person appointed by the governor shall serve for four  
5 years. Each commissioner shall hold office until a successor has  
6 been appointed and qualified. In the event a vacancy exists or in  
7 the event a commissioner's term expires, a successor commissioner  
8 shall be appointed by whomever appointed the commissioner who  
9 initially held the vacant positions and if no person is so selected  
10 within sixty days of the creation of the vacancy, the unexpired term  
11 of such commissioner may be filled by a majority vote of the  
12 remainder of the commissioners, provided such successor  
13 commissioner shall meet the requirements set forth by sections  
14 217.900 to 217.910. Pending any such appointment to fill any  
15 vacancy, the remaining commissioners may conduct commission  
16 business. Commissioners shall serve without compensation but  
17 shall be entitled to reimbursement from the Missouri state  
18 penitentiary redevelopment commission fund established in  
19 subsection 1 of section 217.910 for expenses incurred in conducting  
20 the commission's business.]

[217.905. 1. The commission shall have the following  
2 powers:

3 (1) To acquire title to the property historically utilized as  
4 the Missouri state penitentiary and to acquire by gift or bequest  
5 from public or private sources property adjacent thereto and  
6 necessary or appropriate to the successful redevelopment of the

7 Missouri state penitentiary property;

8 (2) To lease or sell real property to developers who will  
9 utilize the property consistent with the master plan for the  
10 property and to hold proceeds from such transactions outside the  
11 state treasury;

12 (3) To adopt bylaws for the regulation of its affairs and the  
13 conduct of its business;

14 (4) To hire employees necessary to perform the  
15 commission's work;

16 (5) To contract and to be contracted with, including, but  
17 without limitation, the authority to enter into contracts with cities,  
18 counties and other political subdivisions, agencies of the state of  
19 Missouri and public agencies pursuant to sections 70.210 to 70.325  
20 and otherwise, and to enter into contracts with other entities, in  
21 connection with the acquisition by gift or bequest and in connection  
22 with the planning, construction, financing, leasing, subleasing,  
23 operation and maintenance of any real property or facility and for  
24 any other lawful purpose, and to sue and to be sued;

25 (6) To receive for its lawful activities contributions or  
26 moneys appropriated or otherwise designated for payment to the  
27 authority by municipalities, counties, state or other political  
28 subdivisions or public agencies or by the federal government or any  
29 agency or officer thereof or from any other sources and to apply for  
30 grants and other funding and deposit those funds in the Missouri  
31 state penitentiary redevelopment fund;

32 (7) To disburse funds for its lawful activities and fix  
33 salaries and wages of its employees;

34 (8) To invest any of the commission's funds in such types of  
35 investments as shall be determined by a resolution adopted by the  
36 commission;

37 (9) To borrow money for the acquisition, construction,  
38 equipping, operation, maintenance, repair, remediation or  
39 improvement of any facility or real property to which the  
40 commission holds title and for any other proper purpose, and to  
41 issue negotiable notes, bonds and other instruments in writing as  
42 evidence of sums borrowed;

43 (10) To perform all other necessary and incidental  
44 functions, and to exercise such additional powers as shall be  
45 conferred by the general assembly; and

46 (11) To purchase insurance, including self-insurance, of any  
47 property or operations of the commission or its members, directors,  
48 officers and employees, against any risk or hazard, and to  
49 indemnify its members, agents, independent contractors, directors,  
50 officers and employees against any risk or hazard. The commission  
51 is specifically authorized to purchase insurance from the Missouri  
52 public entity risk management fund and is hereby determined to be  
53 a public entity as defined in section 537.700.

54 2. In no event shall the state be liable for any deficiency or  
55 indebtedness incurred by the commission.

56 3. The Missouri state penitentiary redevelopment  
57 commission is a state commission for purposes of section 105.711  
58 and all members of the commission shall be entitled to coverage  
59 under the state legal expense fund.]

[217.907. The income of the commission and all properties  
2 any time owned by the authority shall be exempt from all taxation  
3 in the state of Missouri.]

[217.910. 1. There is hereby created in the state treasury  
2 the "Missouri State Penitentiary Redevelopment Commission  
3 Fund", which shall consist of money collected pursuant to sections  
4 217.900 to 217.910. The fund shall be administered by the  
5 Missouri state penitentiary redevelopment commission. Money in  
6 the fund shall be used solely for the purposes of the Missouri state  
7 penitentiary redevelopment commission.

8 2. Notwithstanding the provisions of section 33.080, no  
9 portion of the fund shall be transferred to the general revenue  
10 fund, and any appropriation made to the fund shall not lapse. The  
11 state treasurer shall invest moneys in the fund in the same manner  
12 as other funds are invested. Interest and moneys earned on such  
13 investments shall be credited to the fund.

14 3. Upon the dissolving of the commission, any funds  
15 remaining in the Missouri state penitentiary commission fund shall  
16 be transferred to the general revenue fund.]

2 [253.412. The Missouri advisory council on historic  
3 preservation established by executive order 81-11, pursuant to the  
4 historic preservation act of 1966, and the regulations promulgated  
5 thereunder, is hereby transferred by a type III transfer to the  
department of natural resources.]

2 [288.475. 1. There is hereby created a "Missouri State  
3 Unemployment Council". The council shall consist of nine  
4 appointed voting members and two appointed nonvoting  
5 members. All appointees shall be persons whose training and  
6 experience qualify them to deal with the difficult problems of  
7 unemployment compensation, particularly legal, accounting,  
8 actuarial, economic, and social aspects of unemployment  
compensation.

9 (1) Three voting members shall be appointed to the council  
10 by the governor. One voting member shall be appointed on account  
11 of his or her vocation, employment, or affiliations being classed as  
12 representative of employers. One voting member shall be  
13 appointed on account of his or her vocation, employment, or  
14 affiliations being classed as representative of employees. One  
15 voting member shall be appointed to represent the public interest  
16 separate from employee or employer representation.

17 (2) Three voting members and one nonvoting member shall  
18 be appointed to the council by the speaker of the house of  
19 representatives. One voting member shall be appointed on account  
20 of his or her vocation, employment, or affiliations being classed as  
21 representative of employers that employ twenty or less  
22 employees. One voting member shall be appointed on account of  
23 his or her vocation, employment, or affiliations being classed as  
24 representative of employees. One voting member shall be  
25 appointed to represent the public interest separate from employee  
26 or employer representation. One nonvoting member shall be  
27 appointed from the house of representatives.

28 (3) Three voting members and one nonvoting member shall  
29 be appointed to the council by the president pro tem of the  
30 senate. One voting member shall be appointed on account of his or  
31 her vocation, employment, or affiliations being classed as

32 representative of employers. One voting member shall be  
33 appointed on account of his or her vocation, employment, or  
34 affiliations being classed as representative of employees. One  
35 voting member shall be appointed to represent the public interest  
36 separate from employee or employer representation. One nonvoting  
37 member shall be appointed from the senate.

38 2. The council shall organize itself and select a chairperson  
39 or cochairpersons and other officers from the nine voting  
40 members. Six voting members shall constitute a quorum and the  
41 council shall act only upon the affirmative vote of at least five of  
42 the voting members. The council shall meet no less than four times  
43 yearly. Members of the council shall serve without compensation,  
44 but are to be reimbursed the amount of actual expenses. Actual  
45 expenses shall be paid from the special employment security fund  
46 under section 288.310.

47 3. The division shall provide professional and clerical  
48 assistance as needed for regularly scheduled meetings.

49 4. Each nonvoting member shall serve for a term of four  
50 years or until he or she is no longer a member of the general  
51 assembly whichever occurs first. A nonvoting member's term shall  
52 be a maximum of four years. Each voting member shall serve for  
53 a term of three years. For the initial appointment, the  
54 governor-appointed employer representative, the speaker of the  
55 house-appointed employee representative, and the president pro  
56 tem of the senate-appointed public interest representative shall  
57 serve an initial term of one year. For the initial appointment, the  
58 governor-appointed employee representative, the speaker of the  
59 house-appointed public interest representative, and the president  
60 pro tem of the senate-appointed employer representative shall  
61 serve an initial term of two years. At the end of a voting member's  
62 term he or she may be reappointed; however, he or she shall serve  
63 no more than two terms excluding the initial term for a maximum  
64 of eight years.

65 5. The council shall advise the division in carrying out the  
66 purposes of this chapter. The council shall submit annually by  
67 January fifteenth to the governor and the general assembly its

68 recommendations regarding amendments to this chapter, the status  
69 of unemployment insurance, the projected maintenance of the  
70 solvency of unemployment insurance, and the adequacy of  
71 unemployment compensation.

72 6. The council shall present to the division every proposal  
73 of the council for changes in this chapter and shall seek the  
74 division's concurrence with the proposal. The division shall give  
75 careful consideration to every proposal submitted by the council for  
76 legislative or administrative action and shall review each  
77 legislative proposal for possible incorporation into department of  
78 labor and industrial relations' recommendations.

79 7. The council shall have access to only the records of the  
80 division that are necessary for the administration of this chapter  
81 and to the reasonable services of the employees of the division. It  
82 may request the director or any of the employees appointed by the  
83 director or any employee subject to this chapter to appear before it  
84 and to testify relative to the functioning of this chapter and to  
85 other relevant matters. The council may conduct research of its  
86 own, make and publish reports, and recommend to the division  
87 needed changes in this chapter or in the rules of the division as it  
88 considers necessary.

89 8. The council, unless prohibited by a concurrent resolution  
90 of the general assembly, shall be authorized to commission an  
91 outside study of the solvency, adequacy, and staffing and  
92 operational efficiency of the Missouri unemployment system. The  
93 study shall be conducted every five years, the first being conducted  
94 in fiscal year 2005. The study shall be funded subject to  
95 appropriation from the special employment security fund under  
96 section 288.310.]

[348.265. 1. As soon as practicable after February 3, 2012,  
2 the director of the department of economic development, with the  
3 assistance of the director of the department of revenue, shall  
4 establish the base year gross wages and report the amount of the  
5 base year gross wages to the president and board of the  
6 corporation, the governor, and the general assembly. Within one  
7 hundred eighty days after the end of each fiscal year beginning

8 with the fiscal year ending June 30, 2011, and for each subsequent  
9 fiscal year prior to the end of the last funding year, the director of  
10 economic development, with the assistance of the director of the  
11 department of revenue, shall determine and report to the president  
12 and board of the corporation, governor, and general assembly the  
13 amount by which aggregate science and innovation employees'  
14 gross wages for the fiscal year exceeds the base year gross  
15 wages. The director of economic development and the director of  
16 the department of revenue may consider any verifiable evidence,  
17 including but not limited to the NAICS codes assigned or recorded  
18 by the United States Department of Labor for companies with  
19 employees in the state, when determining which organizations  
20 should be classified as science and innovation companies.

21 2. Notwithstanding section 23.250 to the contrary, for each  
22 of the twenty-five funding years, beginning July 1, 2012, subject to  
23 appropriation, the director of revenue shall transfer to the Missouri  
24 science and innovation reinvestment fund an amount not to exceed  
25 an amount equal to the product of the applicable percentage  
26 multiplied by an amount equal to the increase in aggregate science  
27 and innovation employees' gross wages for the prior fiscal year,  
28 over the base year gross wages. The director of revenue may make  
29 estimated payments to the Missouri science and innovation  
30 reinvestment fund more frequently based on estimates provided by  
31 the director of revenue and reconciled annually.

32 3. Local political subdivisions may contribute to the  
33 Missouri science and innovation reinvestment fund through a  
34 grant, contract, or loan by dedicating a portion of any sales tax or  
35 property tax increase resulting from increases in science and  
36 innovation company economic activity occurring after February 3,  
37 2012, or other such taxes or fees as such local political subdivisions  
38 may establish.

39 4. Funding generated by the provisions of this section shall  
40 be expended by the corporation to further its purposes as specified  
41 in section 348.256.

42 5. Upon enactment of this section, the corporation shall  
43 prepare a strategic plan for the use of the funding to be generated

44 by the provisions of this section, and may consult with science and  
45 innovation partners, including but not limited to the research  
46 alliance of Missouri, as established in section 348.257; the life  
47 sciences research board established in section 196.1103; and the  
48 innovation centers or centers for advanced technology, as  
49 established in section 348.272. The corporation shall make a draft  
50 strategic plan available for public comment prior to publication of  
51 the final strategic  
52 plan.]

Unofficial

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